

STATE OF UTAH
DIVISION OF OCCUPATIONAL AND PROFESSIONAL
LICENSING
APPLICATION FOR LICENSURE
FACTORY BUILT HOUSING DEALER

DOPL-AP-079 REV 11/20/2000

APPLICATION INSTRUCTIONS AND INFORMATION

General Statement: The Division desires to provide courteous and timely service to all applicants for licensure. To maximize its efficiency and level of service, the Division will process complete applications only. **A complete application includes all applicable supporting documents and fees.** The fees are for processing your application and will not be refunded. Failure to complete the application and supply all necessary information may result in denial of licensure. Please read all instructions carefully.

Address of Record: The address listed on the application will be your address of record. All correspondence from the Division will be sent to that address. It is your responsibility to directly notify the Division of any change in address. Also, please note, the address of record is public information, available upon request and via the internet. You may choose to use a business address or a P. O. Box for your address of record rather than your home address.

Social Security Number: Your social security number is classified as a private record pursuant to Title 63, Chapter 2, Utah Government Records Access and Management Act (GRAMA). It is used as an individual identifier for our licensing database and for purposes of the child support enforcement pursuant to Subsection 78-32-17(3) and is mandatory pursuant to Subsection 58-1-301(1), Utah Code Ann., which implements the requirements of 42 U.S.C. 666(a)(13). An application that does not include a social security number is incomplete and cannot be processed.

Supporting Documents and Fees:

1. If the applicant is a business entity (except a sole proprietor operating under his own personal given name), submit a "Certificate of Good Standing" or a copy of the "Articles of Incorporation" that has been filed with the Utah Division of Corporations and Commercial Code.

The Utah Division of Corporations and Commercial Code is located at 160 East 300 South, 1st Floor, Salt Lake City, Utah 84111 and the telephone number is (801) 530-4849 #1.

2. If the applicant's company is incorporated in another state, submit a copy of the "Utah Certificate of Authority" from the Utah Division of Corporations and Commercial Code.

3. If the applicant is using an assumed name(s), submit a copy of all "D.B.A. Registrations" filed with the Utah Division of Corporations and Commercial Code.
4. Submit a Factory Built Housing Dealer bond completed by your bonding agent (form attached to this application).
5. Submit the \$30.00 non-refundable application processing fee.

Additional Important Information:

1. **Who Must Register as a Factory Built Housing Dealer:** Each person engaged in the sale of factory housing in Utah shall register every other year with the Division as a dealer.
2. **Laws and Rules:** You are required to understand all Utah laws and rules pertaining to factory built housing.

The following applicable laws and rules are available on the Internet at
<http://www.commerce.state.ut.us>

You may also purchase them for a fee from Experior, 5486 South 1900 West,
Taylorsville, Utah 84118, (801) 355-5009.

- ☐ Division of Occupational & Professional Licensing Act
- ☐ General Rules of the Division of Occupational & Professional Licensing
- ☐ Utah Uniform Building Standards Act
- ☐ Utah Uniform Building Standards Act Rules

3. **Registration Renewal:** Factory Build Housing Dealer registrations expire September 30, even numbered years.

Make Licensure Fees Payable To:

DOPL

Mail Complete Application To:

By U.S. Mail

Division of Occupational & Professional Licensing
P.O. Box 146741
Salt Lake City, Utah 84114-6741

By Delivery or Express Mail

Division of Occupational & Professional Licensing
160 East 300 South, 1st Floor Lobby
Salt Lake City, Utah 84111

Telephone Numbers:

Direct Dial: (801) 530-6163

Utah Toll Free: (866) ASK-DOPL
(866) 275-3675

Fax Number: (801) 530-6511

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APPLICATION FOR LICENSE or CERTIFICATE or REGISTRATION

The business legal name is the name which will appear on the license and is the actual name under which the business will be conducted. This is normally the name registered with the Division of Corporations. If there are fictitious business names (doing business as), list those names also, e.g., XYZ Corporation d.b.a. XYZ Housing. If you are going to operate under your own personal given name, this will also be your business name.

GENERAL INFORMATION

License/Certificate/Registration Applying For: _____

BUSINESS LEGAL NAME: _____

MAILING ADDRESS

Street: _____

City: _____ State: _____ Zip: _____

County: _____ Telephone: _____

CONTACT PERSON FOR LICENSING PURPOSES:

Name: _____

Mailing Address: _____

Telephone: _____ Fax: _____

DO NOT WRITE IN THIS SECTION - FOR DIVISION USE ONLY

Registration Number: _____

Date Registration Approved: _____

Approved By: _____

Date Registration Denied: _____

Denied By: _____

Reason For Denial/Other Comments: _____

BUSINESS ENTITY FORM:

_____ Corporation

Corporate Name: _____

Utah Division of Corporations Number: _____

Date of Incorporation: _____

_____ Partnership

Name of Partnership: _____

_____ General _____ Limited

Utah Division of Corporations Number _____

Date of Partnership Agreement: _____

_____ Sole Proprietorship

Name of Business Entity: _____

_____ Limited Liability Company

Name of Company _____

Utah Division of Corporations Number _____

Date Filed: _____

_____ Other Type of Business Form: _____

Utah Division of Corporations Number _____

IDENTIFYING INFORMATION FOR BUSINESS ENTITY FORM:

Supply the identifying information below for all corporate officers, directors, registered agents, and shareholders of a corporation (not required if publicly traded); all partners of a partnership; the sole proprietor of a sole proprietorship; all persons who have an ownership or management responsibility for a limited liability company or other type of business form. Ownership must total 100%. Use additional sheets if necessary.

Full Name: _____

Position Title: _____ Date of Birth: _____

Mailing Address: _____

Soc. Sec. No.: _____ Percent Owned: _____

Full Name: _____

Position Title: _____ Date of Birth: _____

Mailing Address: _____

Soc. Sec. No.: _____ Percent Owned: _____

Full Name: _____

Position Title: _____ Date of Birth: _____

Mailing Address: _____

Soc. Sec. No.: _____ Percent Owned: _____

Full Name: _____

Position Title: _____ Date of Birth: _____

Mailing Address: _____

Soc. Sec. No.: _____ Percent Owned: _____

Full Name: _____

Position Title: _____ Date of Birth: _____

Mailing Address: _____

Soc. Sec. No.: _____ Percent Owned: _____

Full Name: _____

Position Title: _____ Date of Birth: _____

Mailing Address: _____

Soc. Sec. No.: _____ Percent Owned: _____

ALL DBA'S TO BE USED

Use additional sheets if necessary.

Name_____

Address_____

Phone Number_____

Utah Division of Corporations Number_____

Name_____

Address_____

Phone Number_____

Utah Division of Corporations Number_____

Name_____

Address_____

Phone Number_____

Utah Division of Corporations Number_____

Name_____

Address_____

Phone Number_____

Utah Division of Corporations Number_____

Name_____

Address_____

Phone Number_____

Utah Division of Corporations Number_____

FACTORY BUILT HOUSING DEALER QUALIFYING QUESTIONNAIRE

Answer **AYes@** or **ANo@** for each question. Do not leave any questions unanswered.

Has any officer, director, registered agent, partner, sole proprietor, shareholder (unless publicly traded), member, owner, or manager associated with or employed by the dealership:

1. _____ ever applied for or received a license from the Division of Occupational and Professional Licensing under any name other than the name listed on this application?
2. _____ ever held or do they now hold a license in the State of Utah or in any other state?
3. _____ ever had any license denied, conditioned, curtailed, limited, restricted, suspended, revoked, or in any way disciplined by Federal, State, or local government?
4. _____ ever filed for, been subjected to an involuntary petition for, or been adjudged bankrupt, or sought protection under the bankruptcy laws during the last 10 years? If the answer is "yes", include a copy of the bankruptcy schedules with this application.
5. _____ ever been arrested for, charged with, pled guilty or no contest to, or entered a plea in abeyance, or been convicted of a misdemeanor or felony charge in any jurisdiction during the last 10 years? Minor traffic offenses such as parking or speeding violations need not be listed but motor vehicle offenses such as driving while impaired or intoxicated must be disclosed.
6. _____ had a judgement entered against them in any court during the last 10 years?
7. _____ ever been permitted to resign or surrender their business license while under investigation or while action was pending against them by any licensing agency, or criminal or administrative jurisdiction?
8. _____ recently used or are they currently using any drugs (including recreational drugs) without a valid prescription, the possession or distribution of which is unlawful under the Utah Controlled Substances Act or other applicable state or federal law?
9. _____ ever used any drugs without a valid prescription, the possession or distribution of which is unlawful under the Utah Controlled Substances Act or other applicable state or federal law, for which they have not successfully completed or are not now participating in a supervised drug rehabilitation program, or for which they have not otherwise been successfully rehabilitated?
10. _____ ever been involved as the abuser in any incident of verbal, physical, mental, or sexual abuse?

11. _____currently guaranteed the loans or obligations of another party?
12. _____currently have any disciplinary action pending against them now by any licensing agency?

If the answer to any of the above questions is "YES" please enclose with this application complete information with respect to all circumstances and the final result, if such has been reached.

A "Yes" answer does not necessarily mean the applicant will not be granted a license, however additional documentation may be requested by the Division if the information submitted is insufficient.

AFFIDAVIT and RELEASE AUTHORIZATION

I being first duly sworn declare under penalty of perjury as follows:

I am authorized to sign this Affidavit and Release Authorization on behalf of the applicant described and identified in this application for registration in the State of Utah.

The applicant is qualified in all respects for the registration for which it is applying in this application.

To the best of applicant's knowledge, the information contained in the application and its supporting document(s) is free of fraud, misrepresentation, or omission of material fact. To the best of applicant's knowledge, the information contained in the application and its supporting document(s) is truthful, correct, and complete; and, discloses all material facts regarding the applicant and associated individuals necessary to properly evaluate the applicant's qualifications for registration.

Applicant will ensure that any information subsequently submitted to the Division in conjunction with this application or its supporting documents meets the same standard as set forth above.

Applicant understands that it is unlawful and punishable as a class A misdemeanor to apply for or obtain a license or to otherwise deal with the Division or a licensing board through the use of fraud, forgery, or intentional deception, misrepresentation, misstatement, or omission.

Applicant understands that this application will be classified as a public record and will be available for inspection by the public, except with regard to the release of information which is classified as controlled, private, or protected under the Government Records Access and Management Act or restricted by other law.

Applicant authorizes all persons, institutions, organizations, schools, governmental agencies, employers, references, or any others not specifically included in the preceding characterization, which are set forth directly or by reference in this application, to release to the Division of Occupational and Professional Licensing, State of Utah, any files, records or information of any type reasonably required for the Division to properly evaluate my qualifications for licensure/certification/registration by the State of Utah.

Signature of Applicant_____

Date of Signature: _____

Printed Name of Applicant_____

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Division of Occupational and Professional Licensing
160 East 300 South, PO Box 146741
Salt Lake City, Utah 84114-6741
Fax: 801 530-6511

FACTORY BUILT HOUSING DEALER BOND

KNOW ALL PERSONS BY THESE PRESENTS: That we, _____

-

of (Street Address) _____

—

(City) _____, (State) _____ (Zip) _____, as Principal,
and

_____, a Surety Company
qualified and authorized to do business in the State of Utah, as Surety, are jointly and severally
held and firmly bound to the people of the State of Utah to indemnify persons, firms, and
corporations for losses which may occur by reason of violation of the conditions hereinafter
contained, in the total aggregate sum of Fifty Thousand and NO/100 Dollars (\$50,000.00) as
required by Utah Code Ann. 58-56-16(2)(c) (1999), and Utah Administrative Code R156-56-
602(1) (2000), lawful money of the United States for the payment of which, well and truly to be
made, we bind ourselves, our heirs, executors, administrators, successors and assigns, jointly,
severally and firmly by these presents. The total aggregate liability of this bond to all persons
making claims shall not exceed the penal sum stated herein.

THE CONDITION OF THIS OBLIGATION IS SUCH, That:

WHEREAS, the above bounden Principal has applied for registration as a dealer of factory built
housing within the State of Utah, and pursuant to the application, registration has been or is about
to be made.

NOW THEREFORE, if the above bounden Principal shall obtain said registration to do business
as a dealer of factory built housing under the provisions of THE UNIFORM BUILDING
STANDARDS ACT providing for the regulation and control of the business of dealing of factory
built housing, as provided by Chapter 56, Title 58, Utah Code Ann. (1999), the above bounden
Principal and Surety shall indemnify persons, firms and corporations in accordance with Utah
Code Ann. 58-56-16 (2) (c) (1999) for losses which may occur as the result of the above bounden
Principal's violation of any of the unlawful or unprofessional conduct provisions of Chapter 1,
Title 58, and Chapter 56 Title 58 Utah Code Ann (1999) or any law respecting commerce in
factory built housing promulgated by a registration or regulating authority so that the total
aggregate liability on the bond to all persons making claims may not exceed \$50,000 as set forth
in Utah Code Ann 58-56-16 (2) (c) on account of any violation or violations of said laws or rules
during the time of said registration and all lawful renewals. Said bounden Principal shall also pay

reasonable attorney's fees in cases successfully prosecuted or settled against the Principal or Surety if the bond has not been depleted.

The Surety herein reserves the right to withdraw as such surety except as to any liability already incurred or accrued hereunder and may do so upon giving written notice of such withdrawal to the Principal and to the Division of Occupational and Professional Licensing, provided, however, that no withdrawal shall be effective for any purpose until sixty (60) days shall have elapsed from and after the receipt of such notice by the said Division, and further provided that no withdrawal shall in anywise affect the liability of said Surety arising out of any violation or violations of said laws or rules by the Principal hereunder prior to the expiration of such period of sixty (60) days, regardless of whether or not the loss suffered has been reduced to judgment before the lapse of sixty (60) days.

Signed and sealed this _____ day of _____ , _____

(Principal)

(Surety)

Attorney-in-Fact

(Bonding company must be listed in the Department of Treasury, Fiscal Service, Circular 570, current revision, entitled "Companies Holding Certificates of Authority as Acceptable Sureties on Federal Bonds and as Acceptable Reinsuring Companies".)